

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA  
AT CHARLESTON**

<b>IN RE ETHICON, INC., PELVIC REPAIR SYSTEM PRODUCTS LIABILITY LITIGATION</b>	<b>Master File No. 2:12-MD-02327 MDL 2327</b>  <b>JOSEPH R. GOODWIN U.S. DISTRICT JUDGE</b>
<b>THIS DOCUMENT RELATES TO:  ETHICON WAVE 9 CASES LISTED IN PLAINTIFFS' EXHIBIT A</b>	

**NOTICE OF ADOPTION OF PRIOR *DAUBERT* RESPONSE REGARDING  
JOSEPH CARBONE, M.D. FOR WAVE 9**

Plaintiffs filed a Notice of Adoption (Dkt. 8262) as to the opinion testimony of Joseph Carbone, M.D. in the Wave 9 cases identified in Exhibit A to their Notice, adopting their Motion to Exclude Certain Opinions and Testimony of Joseph Carbone, M.D., Doc. No. 2025/2027 in Wave 1 and Reply (Doc. No. 3036) from Wave 3. In response, Defendants hereby adopt and incorporate by reference the *Daubert* response filed in relation to the general-causation opinions of Joseph Carbone, M.D. for Ethicon Wave 3 (Dkt. 2915) as their response for Wave 9. Defendants respectfully request that the Court deny Plaintiffs' motion for the reasons expressed in the Wave 3 response briefing.

Respectfully submitted,

/s/ William M. Gage

William M. Gage (MS Bar #8691)  
Butler Snow LLP  
1020 Highland Colony Parkway  
Suite 1400 (39157)  
P.O. Box 6010  
Ridgeland, MS 39158-6010  
(601) 985-4561

[william.gage@butlersnow.com](mailto:william.gage@butlersnow.com)

/s/ Susan M. Robinson

Susan M. Robinson (W. Va. Bar #5169)

Thomas Combs & Spann PLLC

300 Summers Street

Suite 1380 (25301)

P.O. Box 3824

Charleston, WV 24338

(304) 414-1800

[srobinson@tcspllc.com](mailto:srobinson@tcspllc.com)

Counsel for Defendants

**CERTIFICATE OF SERVICE**

I certify that on this day, I electronically filed this document with the clerk of the court using the CM/ECF system, which will send notification of this filing to CM/ECF participants registered to receive service in this MDL.

/s/ William M. Gage

William M. Gage